

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

JEREMY HUFFMAN, SR.,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 3:19-cv-169
)	
HEAD NURSE LYNN, et al)	
)	
Defendants.)	

NOTICE OF REFUSAL OF SERVICE AND MOTION FOR EXTENSION

Defendants, Head Nurse Lynn, Nurse Jason, Dr. Tieman and Dr. Hall (hereinafter collectively “Defendants”), by counsel, notify the Court of inability to serve discovery requests and Motion for Extension as follows:

1. Defendants attempted to serve Plaintiff with a copy of Defendants’ Motion to Conduct Limited Discovery (ECF 27), but the same was returned to defense counsel noting the addressee refused the parcel.
2. Defendants notified the Court of the same by filing a “Notice of Refusal of Service” on March 4, 2021. (ECF 28).
3. The office for the defense counsel contacted FCI Beckley to inquire into the refusal of service, and was provided instructions on how to properly mail items to an inmate. Defense counsel, therefore, amended its Certificate of Service to reflect the same, and filed copies with this Court. (ECF 38-40).
4. Defense counsel again received back, noted as “Return to Sender” and “Unable to Forward.”
5. It is unclear whether the prison facility or Plaintiff is refusing service.

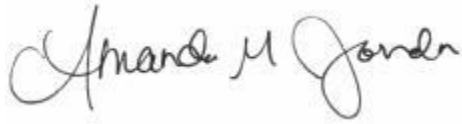
6. After further research, it appears legal mail must be mailed to the following address:

INMATE NAME & REGISTER NUMBER
FCI BECKLEY
PO BOX 1280
BEAVER, WV 25813

7. Defendants, therefore, will attempt service via certified mail to the aforementioned address, and files contemporaneously herewith copies of the Third Amended Interrogatories, Third Amended Request for Production, and Third Amended Request for Admissions to Plaintiff with a new certificate of service reflecting the aforementioned address.
8. In its Order of May 7, 2021 (ECF 31), this Court granted Defendants' Motion to Conduct Limited discovery to address the exhaustion of administrative remedies issues.
9. Further, the Court granted Defendants until July 16, 2021 to file one joint summary judgment motion based on the issue of exhaustion of administrative remedies and to file brief status reports by that date.
10. Defendants require receipt of Plaintiff's responses to its initial discovery requests prior to filing any Motion for Summary Judgment on the issue of failure to exhaust administrative remedies.
11. Defendants, therefore, request an extension of time to file the same, for sixty (60) days following service of Plaintiff's responses to the aforementioned discovery requests.

WHEREFORE, Defendants, by counsel, respectfully provide notice of Defendants' efforts and failure to serve its limited discovery requests pertaining to the exhaustion of administrative remedies, and move for an Order granting an extension to file a Motion for Summary Judgment for Plaintiff's failure to exhaust administrative remedies, for an additional sixty (60) days following service of Plaintiff's responses to the limited discovery, and for all other just and proper relief.

Respectfully Submitted,



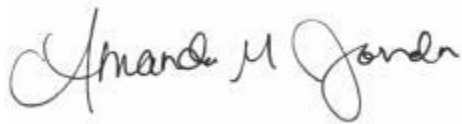
Georgianne M. Walker (23182-71)
Amanda M. Jordan (32129-71)
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ajordan@maylorber.com

CERTIFICATE OF SERVICE

I certify that service of the above document was made on June 3, 2021 by U.S. certified mail, return receipt requested, postage affixed upon the following:

LEGAL MAIL FOR:
Jeremy Huffman, Sr., 16508-027
FCI BECKLEY
PO BOX 1280
BEAVER, WV 25813
Certified Mail # 7017 0190 0000 2474 6923
Return Receipt Requested



Amanda Jordan (32129-71)